

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

OASIS RESEARCH, LLC	§	Case No. 4:10-CV-0435
	§	consolidated with
v.	§	
	§	Case No. 4:12-CV-0525
ADRIVE, LLC, et. al.	§	Case No. 4:12-CV-0526
	§	*SEALED*

ORDER ON PLAINTIFF’S MOTION IN LIMINE

Pending before the Court is Plaintiff Oasis Research, LLC’s Motion in Limine (Dkt. #607). The Court has considered the motion, Defendants’ response (Dkt. #633), and the oral argument of counsel before the Court at the Final Pretrial Conference conducted on March 8, 2013. It is therefore ordered that Plaintiff Oasis Research, LLC, its attorneys, Defendants Carbonite, Inc., EMC, Corp., and Decho, Corp., their attorneys, and any witnesses refrain from (1) making any reference, mention, statement, suggestion, or allusion to, (2) giving any testimony or arguments concerning, or (3) introducing any exhibits before the jury panel or jury concerning (collectively, making “any reference to”) any of the following matters which the Court has granted below, until the Court has had the opportunity to rule on the admissibility of such matters outside the jury’s presence.

1. Any evidence, testimony, reference, or argument that Christopher Crawford acted with deceptive intent toward the Patent and Trademark Office (“PTO”). However, as instructed by the Court during the Final Pretrial Conference, the parties will be permitted to discuss Christopher Crawford’s alleged deceptive actions as they relate to his credibility or to his actions taken towards the alleged co-inventors.

GRANTED _____ GRANTED AS MODIFIED X DENIED _____

2. Any evidence, testimony, reference, or argument referring to Plaintiff as a “patent troll” or other pejorative term. Defendants are permitted to refer to Plaintiff’s business model in a general sense; however, Defendants may not portray Plaintiff’s business model in a negative light.

GRANTED _____ GRANTED AS MODIFIED X DENIED _____

3. Any evidence, testimony, reference, or argument from Teri Todd or Donald Doss concerning inventorship.

GRANTED _____ GRANTED AS MODIFIED _____ DENIED X

IT IS SO ORDERED.

SIGNED this 11th day of March, 2013.



AMOS L. MAZZANT
UNITED STATES MAGISTRATE JUDGE